

Approved: A. Messiter
Alexandra S. Messiter
Assistant United States Attorney

Before: THE HONORABLE JAMES L. COTT
United States Magistrate Judge
Southern District of New York

22 MAG 7919

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: **SEALED COMPLAINT**
UNITED STATES OF AMERICA :
: Violations of
- v. - : 18 U.S.C. §§ 1951,
: 924(c) (1) (A) (ii)
ELHORIN YISREAL, : and 2.
: COUNTY OF OFFENSE:
Defendant. : BRONX
:
- - - - - X
SOUTHERN DISTRICT OF NEW YORK, ss.:

CRISTOFER SCHIAVONE, Task Force Officer, New York City
Police Department ("NYPD")/Federal Bureau of Investigation ("FBI")
Joint Violent Crimes Task Force, being duly sworn, deposes and
states:

COUNT ONE
(Hobbs Act Robbery)

1. On or about September 6, 2022, in the Southern
District of New York and elsewhere, ELHORIN YISREAL, the
defendant, knowingly did commit robbery, as that term is defined
in Title 18, United States Code, Section 1951(b)(1), and did
thereby obstruct, delay, and affect commerce and the movement
of articles and commodities in commerce, as that term is defined
in Title 18, United States Code, Section 1951(b)(3), to wit,
YISREAL participated in an armed robbery of a United States Post
Office in the Bronx, New York.

(Title 18, United States Code, Sections 1951 and 2.)

COUNT TWO
(Brandishing a Firearm)

2. On or about September 6, 2022, in the Southern District
of New York and elsewhere, ELHORIN YISREAL, the defendant, during

and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the robbery charged in Count One, knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, which was brandished, during the robbery charged in Count One.

(Title 18, United States Code, Sections 924(c)(1)(A)
(ii) and 2.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

3. I am a Task Force Officer with the NYPD/FBI Joint Violent Crimes Task Force. I have been personally involved in the investigation of this matter, and I base this affidavit on that experience, on my conversations with other law enforcement officials, and on my examination of various documents, videos, reports, and records. Because this affidavit is being submitted for the limited purpose of demonstrating probable cause, it does not include all the facts I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

The Post Office Robbery

4. Based on my participation in the investigation of this matter, my conversations with other law enforcement officers, and my review of law enforcement reports, I have learned, among other things, the following:

a. On or about September 6, 2022, at approximately 7:04 a.m., a United States Postal Service employee ("Employee-1") and her husband ("Husband-1") arrived at the United States Post Office located in the vicinity of 1163 Castle Hill Avenue in the Bronx, New York ("Post Office-1").

b. Employee-1 and Husband-1 had unlocked the front entrance to Post Office-1, and Husband-1 had returned to the vehicle in which he came, when Employee-1 was approached from behind by a male individual ("Suspect-1") wearing black clothing and a mask covering his face. Suspect-1 was armed with a black firearm.

c. Employee-1 screamed and, upon hearing his wife scream, Husband-1 ran back toward Post Office-1. Suspect-1 then pointed the firearm at Husband-1.

d. Suspect-1 ordered Employee-1 and Husband-1 inside Post Office-1 at gunpoint. Suspect-1 then ordered Employee-1 to open a safe and to give him two remittance bags containing approximately \$100,000 in United States currency, blank money orders, and a machine used to print money orders.

e. Suspect-1 placed the stolen items into a brown laundry bag.

f. Suspect-1 then fled in a white Honda Odyssey.

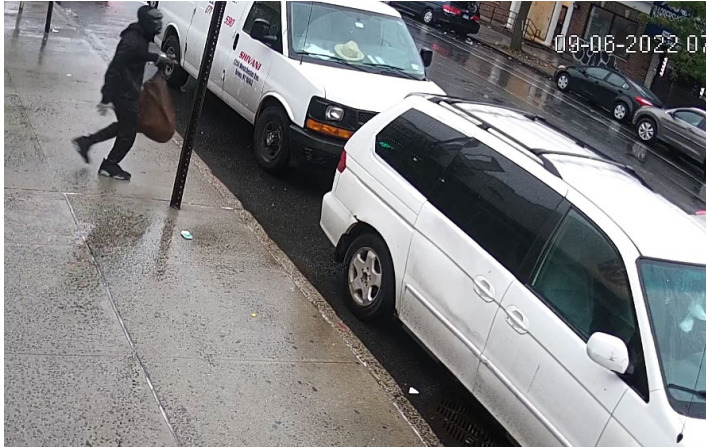
5. Based on my review of surveillance video, I have learned that surveillance video from the vicinity of Post Office-1 on the morning of September 6, 2022 shows the following:

a. At approximately 6:16 a.m., a white Honda Odyssey arrived in the vicinity of Post Office-1. After Employee-1 and Husband-1 arrived at Post Office-1 at approximately 7:04 a.m., Suspect-1 exited the white Honda Odyssey and ran toward the entrance to Post Office-1. A still image from surveillance video in the vicinity of Post Office-1 on the morning of September 6, 2022 showing Suspect-1 exiting the white Honda Odyssey immediately prior to the robbery is copied below:



b. Immediately after the robbery, Suspect-1 entered the white Honda Odyssey and fled in that vehicle heading

Southbound on Castle Hill Avenue. Still images from surveillance video in the vicinity of Post Office-1 on the morning of September 6, 2022 showing Suspect-1 entering the white Honda Odyssey immediately after the robbery are copied below:



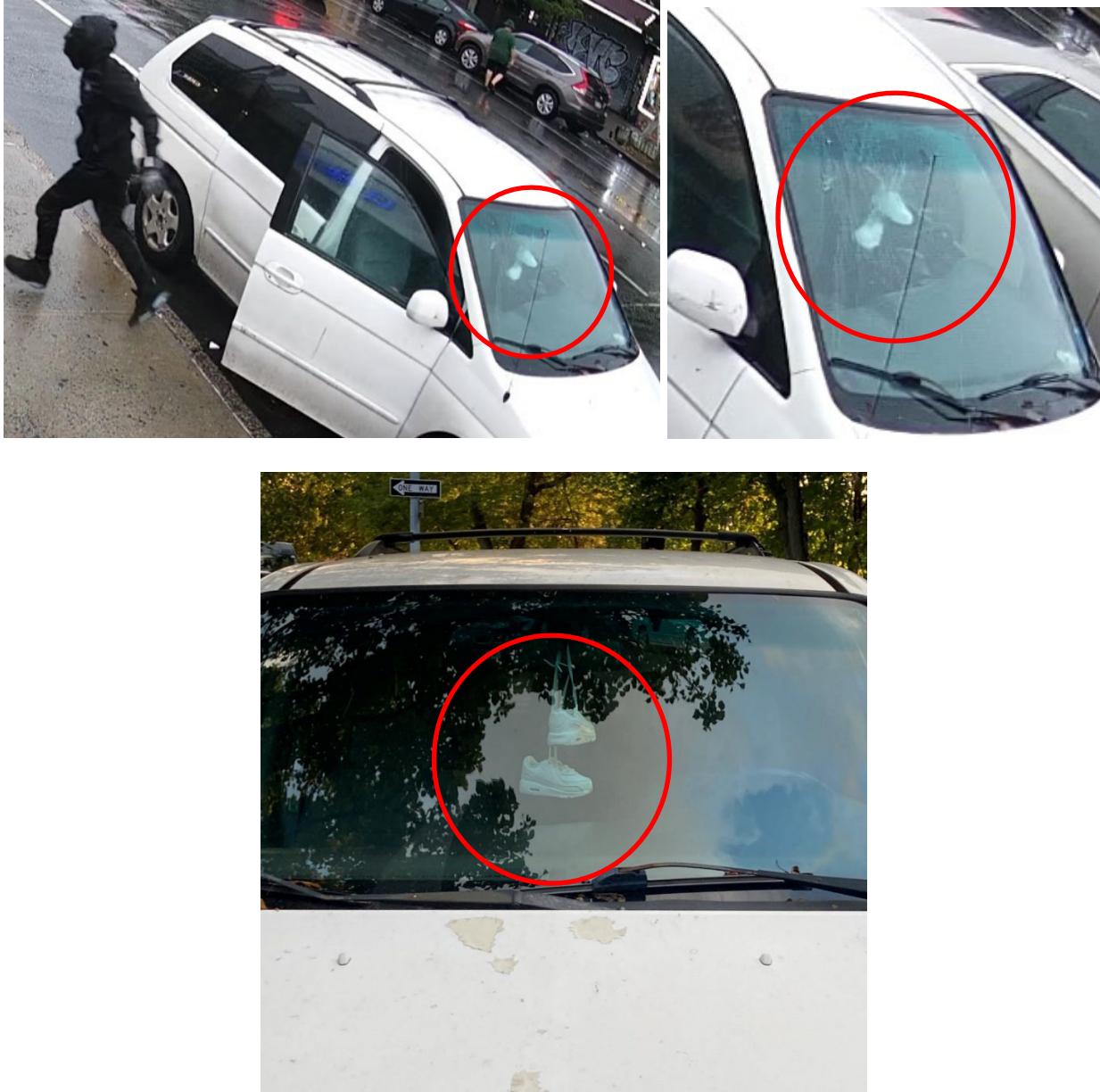
Identification of ELHORIN YISREAL as Suspect-1

6. Based on my review of surveillance video, I have learned that surveillance video from a Department of Transportation camera located alongside the Hutchinson River Parkway between an on-ramp from the Bruckner Expressway and Exit 1B shows that, on the morning of September 6, 2022, a white Honda Odyssey was traveling northbound past that location at approximately 7:19 a.m. I have further learned that a Department of Transportation camera located alongside the Hutchinson River Parkway between Exit 1B and the subsequent exit did not capture the white Honda Odyssey on the morning of September 6, 2022. Accordingly, I believe that the white Honda Odyssey exited the Hutchinson River Parkway at Exit 1B.

7. Based on my participation in this investigation, I have learned that on September 13, 2022, law enforcement officers located a white Honda Odyssey ("Vehicle-1") parked in the vicinity of 1704 Libby Place in the Bronx, New York, approximately 0.5 miles from Hutchinson River Parkway Exit 1B and 2.2 miles from Post Office-1 via the Hutchinson River Parkway.

8. Based on my comparison of surveillance video from the vicinity of Post Office-1 on the morning of September 6, 2022 and photographs of Vehicle-1 taken by law enforcement on September 13, 2022, I have learned that the white Honda Odyssey captured on surveillance video on the morning of the robbery appears consistent with Vehicle-1. In particular, both the white Honda Odyssey captured on surveillance video on the morning of the robbery and

Vehicle-1 have a pair of white baby sneakers hanging from the rearview mirror in the front windshield. Still images from surveillance video from the vicinity of Post Office-1 on the morning of the robbery and a photograph of Vehicle-1 taken by law enforcement on September 13, 2022 are copied below:



9. Based on my review of New Jersey Motor Vehicle Commission records, I have learned that Vehicle-1 was purchased by ELHORIN YISREAL, the defendant, at a car dealership in Little

Ferry, New Jersey. A temporary registration tag was issued in YISREAL's name on June 25, 2020.¹

10. Based on my review of New York State Department of Motor Vehicle records, I have learned that, on or about August 13, 2021, Vehicle-1 was being driven by ELHORIN YISREAL, the defendant, when Vehicle-1 was involved in a motor vehicle accident.

11. On September 15, 2022, the Honorable Stewart D. Aaron signed a search warrant authorizing the search of Vehicle-1. Based on my conversations with other law enforcement officers, I have learned that among the items recovered from inside Vehicle-1 during that search was a receipt dated September 2021 from a business in the vicinity of Fulton Street, New York in the name "Elhorin" — that is, the first name of ELHORIN YISREAL, the defendant.

12. Based on my comparison of a law enforcement photograph of ELHORIN YISREAL, the defendant, with photographs posted on a publicly available social media account ("Social Media Account-1"), I believe that Social Media Account-1 belongs to YISREAL. Based on my review of Social Media Account-1, I have learned that a photograph posted on August 17, 2019 with the caption "My motivation" shows a woman ("Individual-2") holding a child. Based on my review of New York State Department of Motor Vehicle records, I have learned that Individual-2 has resided in the vicinity of 1730 Mulford Avenue in the Bronx, New York, approximately 350 feet from the location where Vehicle-1 was located.

13. On September 16, 2022, the Honorable Stewart D. Aaron signed a warrant for historical location information for a cellphone used by ELHORIN YISREAL, the defendant. Cell site data shows that on September 5, 2022 — the day before the robbery — the cellphone used by YISREAL was located in the vicinity of the location where Vehicle-1 was recovered.

14. Based on my review of records from the New York State Department of Motor Vehicles, I have learned that a white

¹ Subsequently, from approximately July 2020 until July 31, 2021, Vehicle-1 was registered to another individual ("Individual-1") at an address in Philadelphia, Pennsylvania. When contacted by law enforcement officers, Individual-1 denied any knowledge of or connection with Vehicle-1. Vehicle-1 has no current registration.

Mercedes E 350 sedan ("Vehicle-2") is registered to ELHORIN YISREAL, the defendant.

15. Based on my review of surveillance video from an apartment building located in the vicinity of 1890 Lexington Avenue ("Apartment Building-1") in Manhattan, I have learned that surveillance video from the morning of the robbery shows that ELHORIN YISREAL, the defendant, left Apartment Building-1 at approximately 5:09 a.m. - that is, approximately one hour and seven minutes before Suspect-1 arrived at the scene of the robbery.²

16. Based on my review of license plate reader records from the morning of the robbery, I have learned that Vehicle-2 crossed over the Willis Avenue Bridge from Manhattan to the Bronx at approximately 5:18 a.m. - that is, approximately nine minutes after ELHORIN YISREAL, the defendant, left Apartment Building-1 and 58 minutes before Suspect-1 arrived at the scene of the robbery.

17. Based on my review of surveillance video from September 6, 2022, I have learned that surveillance video in the vicinity of Libby Place in the Bronx - that is, the location where Vehicle-1 was recovered by law enforcement after the robbery - shows a white minivan that appears consistent with Vehicle-1 approximately two blocks away from Libby Place, driving in the direction of Libby Place, at approximately 7:22 a.m. I have further learned that surveillance video shows a white sedan that appears consistent with Vehicle-2 turning off of Libby Place at approximately 7:25 a.m. Several minutes later, at approximately 7:28 a.m., surveillance video shows a white sedan that appears consistent with Vehicle-2 approximately three blocks away, traveling in the direction of the Hutchinson River Parkway. Based on the foregoing, I believe that ELHORIN YISREAL, the defendant, parked Vehicle-1 on Libby Place, where it was subsequently recovered by law enforcement, and, after doing so, switched to Vehicle-2 to drive away from that location.

² Based on my review of cellphone records, I have learned that YISREAL did not use his cellphone to place outgoing calls or text messages or to answer incoming calls between September 5, 2022 at approximately 10:34 p.m. and September 8, 2022 at approximately 11:43 a.m. Moreover, cell site data shows that YISREAL's cellphone remained in the vicinity of Apartment Building-1 during that period, even though, as described above, surveillance video shows that YISREAL himself left that location during the same period.

18. Based on my review of license plate reader records, I have learned that Vehicle-2 crossed over the Third Avenue Bridge from the Bronx back into Manhattan at 8:22 a.m.

19. Based on my review of surveillance video, I have further learned that, at approximately 8:39 a.m., ELHORIN YISREAL, the defendant, returned to Apartment Building-1. Approximately 36 minutes later, at approximately 9:15 a.m., YISREAL walked out of Apartment Building-1, before returning to the front of the building in Vehicle-2, which he double-parked in front of the building. YISREAL then exited Vehicle-2 and re-entered Apartment Building-1. Subsequently, YISREAL carried items, including suitcases and an object that appears to be a grey safe, out from Apartment Building-1 and loaded them into Vehicle-2 before departing from that location in Vehicle-2.

20. Based on my review of a publicly available post on Social Media Account-1, I have learned that a photograph posted on January 19, 2022 shows a brown laundry bag. Based on my comparison of the social media post with still images from surveillance video in the vicinity of Post Office-1 on the morning of September 6, 2022, I believe that the brown laundry bag shown in the social media post appears consistent with the brown laundry bag carried by Suspect-1 at the scene of the robbery. The social media post and a still image from surveillance video in the vicinity of Post Office-1 on the morning of September 6, 2022 are copied below:



21. Based on my comparison of a law enforcement photograph of ELHORIN YISREAL, the defendant, with videos posted on a publicly available video sharing and social media account

("Social Media Account-2"), I believe that Social Media Account-2 belongs to YISREAL. Based on my review of a publicly available video posted to Social Media Account-2, I have learned that a video posted on August 7, 2022 shows a male individual holding an object that appears to be a long-barreled black handgun. Based on my comparison of the video posted on social media with surveillance video in the vicinity of Post Office-1 on the morning of September 6, 2022 showing Suspect-1 carrying a long-barreled black handgun, I believe that the object shown in the video posted on Social Media Account-2 appears consistent with the long-barreled black handgun carried by Suspect-1 at the scene of the robbery. A still image from the video posted on social media and a still image from surveillance video in the vicinity of Post Office-1 on the morning of September 6, 2022 are copied below:



22. Based on my review of surveillance video from inside Apartment Building-1, I have learned the following:

a. Surveillance video from August 29, 2022 - approximately one week before the robbery - shows ELHORIN YISREAL, the defendant, wearing a pair of black sneakers with white markings on the side that appear to be Nike Air Jordans. Based on my comparison of the surveillance video from August 29, 2022 with surveillance video in the vicinity of Post Office-1 on the morning of September 6, 2022, I believe that the sneakers worn by YISREAL on August 29, 2022 appear consistent with the sneakers worn by Suspect-1 at the scene of the robbery. A still image from the August 29, 2022 surveillance video and a still image from surveillance video in the vicinity of Post Office-1 on the morning of September 6, 2022 are copied below:



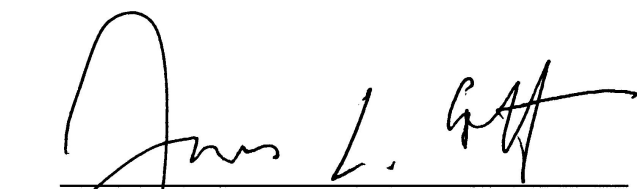
b. Surveillance video from September 5, 2022 - the day before the robbery - shows YISREAL wearing a pair of grey and black gloves. Based on my comparison of the surveillance video from September 5, 2022 with surveillance video in the vicinity of Post Office-1 on the morning of September 6, 2022, I believe that the gloves worn by YISREAL on September 5, 2022 appear consistent with the gloves worn by Suspect-1 at the scene of the robbery. A still image from the September 5, 2022 surveillance video and a still image from surveillance video in the vicinity of Post Office-1 on the morning of September 6, 2022 are copied below:



WHEREFORE, deponent respectfully requests that a warrant be issued for the arrest of ELHORIN YISREAL, the defendant, and that he be arrested, and imprisoned or bailed, as the case may be.

/s/ Cristofer Schiavone, by the Court, with
permission
CRISTOFER SCHIAVONE
Detective
NYPD/FBI Joint Violent Crimes Task Force

Sworn to before me this
29th day of September, 2022



JAMES L. COTT
United States Magistrate Judge